

# Frankfurt Kurnit Klein + Selz PC

October 29, 2024

**VIA ECF**

Magistrate Judge Joseph A. Marutollo  
United States District Court  
Eastern District of New York  
Theodore Roosevelt United States Courthouse  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *New York Road Runners, Inc., v. New York City Runs, Inc.*,  
Case No.: 1:24-cv-01231 (JAM)

Dear Judge Marutollo:

Pursuant to this Court's August 8, 2024 Minute Entry, Plaintiff New York Road Runners, Inc. ("NYRR") and Defendant New York City Runs, Inc. ("NYCRUNS") respectfully submit the following as the parties' fourth joint status report outlining the current status of discovery and mediation.

Mediation. The parties have continued to explore possible resolutions of this matter since their private mediation on August 28, 2024.

Discovery. Both parties made their initial production of documents in July 2024. NYRR made its second production of documents on October 23, 2024.

On October 11, 2024, NYRR noticed the deposition of several NYCRUNS witnesses and served three third-party subpoenas on October 14, 2024. At this time, the parties continue to discuss issues raised in discovery without seeking the Court's intervention.

We thank the Court for its time and attention to this matter.

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/s/ Richard Brown  
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